



1EW

**PATENT
DOCKET NO.
SPV-48.02
(20473-4802)**

In re Application of:

Hoemann, Michael Z.

Application No: 10/722,114

Filed: November 25, 2003

For: 4,4-Disubstituted Piperidines, and
Methods of Use Thereof

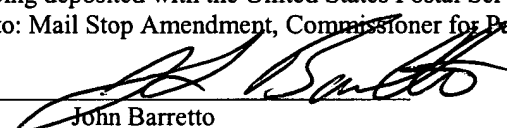
Art Unit: 1625

Examiner: Not Yet Assigned

Attention: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 16, 2004.


John Barretto

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Under 35 U.S.C. §120, this application has the benefit of the filing date of U.S. Patent Application 10/012,182, filed December 4, 2001. Copies of all references listed in the Form PTO-1449 were submitted to the Office in the parent application; therefore, they are not required to be provided in this application.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.


It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that **[check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]**:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Dana M. Gordon, Ph.D.
Attorney for Applicant(s)
Foley Hoag LLP
155 Seaport Boulevard
Boston, Massachusetts 02210-2600

Date: June 16, 2004
Reg. No. 44,719

Tel. No. (617) 832-1765
Fax No. (617) 832-7000

Form PTO-1449	Docket Number (Optional) SPV-048.02	Application Number 10/722,114
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Applicant Hoemann, Michael Z.	
	Filing Date 11/25/03	Group Art Unit 1625

JUN 21 2004

U.S. PATENT DOCUMENTS

EXAMINE INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	US 6,211,198	04/2001	Gluchowski et al.	514	318	
AB	US 6,159,990	12/2000	Lagu et al.	514	326	
AC	US 6,124,319	09/26/00	MacCoss et al.	514	318	
AD	US 5,968,955	10/19/99	Mantegani et al.	514	326	
AE	US 5,807,865	09/15/98	Harrison et al.	514	278	
AF	US 5,118,693	06/02/92	Toth et al.	514	327	
AG	US 2,538,107	01/16/51	Kwartler et al.	260	294	
AH	US 3,108,111	10/22/63	Stern et al.	260	294.7	
AI	US 4,485,109	11/27/84	Ciganek	424	267	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
AJ	WO 94/10165	05/11/94	PCT				X
AK	WO 95/19344	07/20/95	PCT				X
AL	WO 97/32852	09/12/97	PCT			English Abstract on the first page	
AM	WO 99/04794	02/04/99	PCT				X
AN	WO 99/58501	11/18/99	PCT				X
AO	EP 0 412 822 B1	04/06/94	European Patent Specification				X
AP	EP 0 337 167 A1	1/18/89	European Patent Application				X
AQ	FR 1.477.152	3/6/67	France				X

OTHER DOCUMENTS*(Including Author, Title, Date, Pertinent Pages Etc.)*

AR	Brine et al.; "Synthesis of 4,4- Disubstituted Piperidine Analogs of (±)-cis-N-[1-(2-Hydroxy-2-phenylethyl)-3- Methyl-4-piperidyl]-N-phenylpropanamide", Journal of Heterocyclic Chemistry, 31(2):513-520, (Mar-Apr. 1994)
AS	Colapret et al.; "Synthesis and Pharmacological Evaluation of 4,4-Disubstituted Piperidines", J. Med. Chem. 32: 968-974, (1989)
AT	Huegi et al.; "Synthesis and Pharmacological Studies of 4,4-Disubstituted Peperidines: A New Class of Compound with Potent Analgesic Properties", J. Med. Chem. 26: 42-50, (1983)
AU	Lewis et al.; "An Efficient Protocol for the Preparation of Primary Alcohols Bearing a β-Chiral Center Via an Oxazolidinone Auxiliary Mediated Resolution, and Application to the Synthesis of 4,4-Disubstituted Piperidine Substance P Antagonist", J. Org. Chem. 65: 2615-2618, (2000)
AV	Huybrechts and Hoornaert; "2-Bromo-N-(2-Bromoethyl)-N-Carboethoxyethanamine, A Useful Reagent in the Synthesis of 4,4 Disubstituted piperidines", Synthetic Communication, 11 (1): 17-23, (1981)

Form PTO-1449		Docket Number (Optional) SPV-048.02	Application Number 10722,114
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant Hoemann, Michael Z.	
		Filing Date 11/25/03	Group Art Unit 1625
	AW	Stevenson et al.; "4,4-Disubstituted Piperidines: A New Class of NK1 Antagonist", J. Med. Chem. 38: 1264-1266, (1995)	
	AX	DeGraw et al.; "Histamine Releasers. III. Dibasic Acid Amides of 4-phenyl-4-Aminomethylpiperidines", J. Med. Chem. 10(2): 174-177, (1967)	
	AY	Gervais et al.; "Cyclodeshydration D'Alcool Phenol Induite par L'H.M.P.A. Nouvelle voie D'Acces aux Dihydrobenzofurannes et Dihydrobenzopyrannes", Tetrahedron 35: 745-752, (1979)	
	AZ	Rehse and Werner; "Antiaggregatorische and Anticoagulante Eigenschaften von Oligoaminen+ 1 Mitt", Arch. Pharm. 319(6): 505-515, (1986)	
	BA	Rehse et al.; "Neuropsychotrope Aktivitat Dopaminanaloger Piperidin-Und Piperazinderivate", Arch. Pharm. (Weinheim) 312:670-681 (1979)	
	BB	Stevenson et al.; "4,4-Disubstituted Piperidine High-Affinity NK ₁ Antagonists: Structure-Activity Relationships and in Vivo Activity", J. Med. Chem. 41: 4623-4635, (1998)	
	BC	Yamato et al.; "Synthesis and Biological Activity of Spiro[isocoumarin-piperidines] and Related Compounds", Chem. Pharm. Bull. 29(2): 402-405, (1981)	
	BD	Annex to Form PCT/ISA/206 Showing Partial International Search Report Mailed on July 07, 2002	
EXAMINER			DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE